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SUBJECT: INDIGENOUS CANDIDATES TO CONTROL ONE-THIRD OF
NEPAL'S CONSTITUENT ASSEMBLY

Summary

1. (U) Indigenous nationality ("janajati") candidates won just over a third of the seats in Nepal's Constituent Assembly (CA) election on April 10. They occupy nearly a third of the seats from first-past-the-post contests and slightly more than a third from the proportional representation (PR) race. Janajati candidates also received half of the 26 appointed seats, giving them a total of 212 members (or 35 percent) in the 601-member Assembly. Almost half -- more than 90 of them -- are Maoists. However, the PR race, with its significant quota for indigenous nationalities, ensured that the other major parties also included janajatis in their ranks. The CA election's results constituted a significant increase over the 1999 election in the percentage of janajati in Nepal's Parliament and brought these historically disadvantaged groups a level of representation roughly comparable to their total population.

Janajatis to Control One-Third of Seats

2. (U) In April's election, indigenous nationality ("janajati") candidates captured 212 seats, or 35.2 percent, of the 601-member Constituent Assembly (CA). Janajati candidates won 79 of the 240 first-past-the-post (FPTP) seats, or 32.9 percent, and 120 of the 335 proportional representation (PR) seats, or 35.8 percent. They also won half of the 26 appointed seats in the CA.

Maoists Dominate Janajati Representation

3. (U) A large number of janajati candidates elected in both races are from the Communist Party of Nepal (Maoist). Maoists captured 50 of the 79 seats won by janajatis in first-past-the-post (FPTP) contests and 43 of the 120 janajati seats in the proportional representation (PR) race. The Nepali Congress (NC) and the Communist Party of Nepal-United Marxist Leninist (UML) also won a substantial number of janajati seats. The NC and CPN (UML) won 10 and 11 seats, respectively, in FPTP races and 27 and 25 seats, respectively, in the PR contest. While most of the janajati seats were won by members of the three largest parties, a handful of small, indigenous-based parties also won seats -- including the National People's Liberation Party, the Federal Democratic National Forum, the Nepal National Party and the Nepal Democratic Socialist Party. All of these seats were

won in the PR contest. (Note: The PR contest employed a quota requiring all parties who had more than 100 candidates on their candidate list to select janajati candidates for at least 37.8 percent of the seats they won. End note.)

Substantial Increase Compared to Previous Parliament

14. (U) April's CA election showed a 12.3 percent increase in the number of janajatis in parliament since the 1999 general election. This increase brings the proportion of indigenous MPs to a point of near equality with the proportion of janajatis in Nepal's total population, which is estimated at 37.8 percent. However, there are still no major janajati parties. Probably the three most prominent janajati MPs are Subash Nembang (UML), a Rai elected from Ilam, who is the former Speaker of the Interim Parliament, and K.B. Gurung (NC), a Gurung also elected from Ilam, who is the Acting Chairman of the CA, and parliamentary leader of the Madhesi People's Rights Forum Bijay Gachchhadar, who is a Tharu.

Large Number of Indigenous Groups Represented

15. (U) According to the Nepal Federation of Indigenous Nationalities (NEFIN), the newly elected janajati MPs represent a total of 37 of the 59 officially registered indigenous groups. Among these, the Tharus, the Newars, the Magars, the Gurungs, the Rais, the Tamangs, and the Limbus received the largest number of seats. Between the FPTP contests and the PR race, 33 indigenous groups captured

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seats. An additional 4 groups gained representation by being selected for one of the 26 appointed seats. (Note: According to the Interim Constitution, as amended, the purpose of the appointed seats was to give representation to indigenous groups which had not been able to gain it through either the FPTP contests or the PR race. NEFIN Chairman Pasang Lama received one of these seats. End Note.)

Comment

16. (U) The fact that janajatis reached nearly proportional representation in the recent CA election is a positive sign for Nepal's indigenous communities, who have often been underrepresented and discriminated against in the past. It is also significant that janajati candidates were almost equally successful in the PR and FPTP races, which had no quota attached to them. Much of the credit for this success can be given to the Maoists, who have clearly become a strong ally for indigenous communities by nominating janajati candidates. However, there are still few janajati faces in any party's leadership. In a country where most decisions are made by party leadership -- and where voting along party lines is mandatory -- the challenge for janajatis is to translate their numerical strength into political power.
BERRY